

Senate Bill No. 377

CHAPTER 643

An act relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 7, 2005. Filed with
Secretary of State October 7, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

SB 377, Ortiz. Medi-Cal: dental services.

Existing law establishes the Medi-Cal program, administered by the State Department of Health Services, that provides certain benefits to qualified recipients. Certain dental services are covered Medi-Cal benefits.

This bill would declare that the Legislature has appropriated money in the Budget Act of 2001 and each subsequent Budget Act thereafter, for the provision under the Medi-Cal program of nonemergency benefits for the prevention and treatment of dental and periodontal disease for beneficiaries during pregnancy to prevent premature deliveries and low-birth weights. The bill would require the department to immediately implement the provision of these services by informing Denti-Cal and other Medi-Cal providers through provider bulletins that these benefits are included for pregnant beneficiaries. The bill would require the department to adopt regulations to implement the provision of these services on or before January 1, 2008, and would provide that implementation by provider bulletin of this provision shall not be delayed pending the adoption of these regulations.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. (a) In the Budget Act of 2001 and each subsequent Budget Act thereafter, the Legislature has appropriated money for the provision under the Medi-Cal program of nonemergency benefits for the prevention and treatment of dental and periodontal disease for beneficiaries during pregnancy to prevent premature deliveries and low-birth weights.

(b) These preventive and treatment dental services for pregnant women result in net savings to the Medi-Cal program by avoiding the far more costly medical and other interventions needed to treat and care for premature and low-birth weight disabled newborns immediately at birth and throughout life.

(c) It is the intent of the Legislature to reaffirm its commitment to the provision of the benefits described in subdivision (a) for which money has consistently been appropriated.

(d) Therefore, the State Department of Health Services shall immediately implement the provision of services described in subdivision (a) by clearly informing Denti-Cal and other Medi-Cal providers through a provider bulletin or bulletins that the services described in subdivision (a) are included Medi-Cal benefits for pregnant beneficiaries.

(e) (1) On or before January 1, 2008, the department shall adopt regulations in accordance with the rulemaking requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code to implement the provision of services described in subdivision (a).

(2) Notwithstanding the rulemaking requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the implementation by provider bulletin required under subdivision (d) shall not be delayed pending the adoption of administrative regulations.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for Medi-Cal beneficiaries to receive needed prevention and treatment benefits for dental and periodontal disease during pregnancy, so as to prevent premature deliveries and low birth weight, it is necessary for this act to take effect immediately.